

RENTON CITY COUNCIL
Regular Meeting

June 2, 2008
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Denis Law called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

MARCIE PALMER, Council President; DON PERSSON; KING PARKER; TERRI BRIERE; RICH ZWICKER; GREG TAYLOR; RANDY CORMAN.

**CITY STAFF IN
ATTENDANCE**

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Public Works Administrator; ALEX PIETSCH, Community and Economic Development Administrator; THARA JOHNSON, Associate Planner; MARTY WINE, Assistant CAO; PREETI SHRIDHAR, Communications Director; FIRE CHIEF/EMERGENCY SERVICES ADMINISTRATOR I. DAVID DANIELS and DEPUTY CHIEF ROBERT VAN HORNE, Fire Department; COMMANDER KATIE MCCLINCY, Police Department.

SPECIAL PRESENTATION
City Clerk: Broadcast Digital
Television Transition

Terry Davis, Director of Government Affairs and Franchising for Comcast Southeast Puget Sound Office, reported on the digital television transition that will occur on 2/17/2009. He explained that the federal government is requiring broadcast television stations to switch the over-the-air signal from analog to digital. Resident's analog television sets receiving free television using an antenna will not work after 2/17/2009.

Mr. Davis stated that residents who are currently using analog televisions have the following options: 1) keep the existing analog television set and purchase a television converter box; 2) connect to cable, satellite or other pay service; or 3) purchase a television with a digital tuner. He pointed out that analog television set owners can obtain coupons that can be applied toward the cost of a television converter box. Mr. Davis indicated that information about the conversion and the coupons can be obtained online at www.dtv.gov and by calling 1-888-388-2009.

Responding to Council inquiries, Mr. Davis said households can obtain up to two coupons, each worth \$40, and a coupon is not needed to purchase a converter box. He confirmed that cable subscribers are not required at this time to switch to digital cable.

PUBLIC HEARING
Planning: Development
Regulations (Title IV) 2006
Docket Review

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public hearing to consider amendments to the City Code Title IV (Development Regulations) docket item regarding mobile vendors, including: Farmers Markets, Mobile Food Vendors, and Temporary Merchant Vendors.

Associate Planner Johnson reported that farmers markets and produce stands are currently permitted through the definition for "retail sales, outdoor." The recommended amendments include: allowing farmers markets only in the CD (Center Downtown) zone, providing an exemption for produce stands, and adding a definition for farmers market.

Regarding mobile food vendors, Ms. Johnson stated that the vendors are currently allowed with a business license. She reported that she visited the

three mobile food vendors conducting business within the City to inform them of the proposed amendments, which are as follows: restricting vendors in all zones, allowing vendors on a case-by-case basis through the temporary use permit process, providing exemptions for City-sponsored events or functions, and adding a definition for mobile food vendors.

Turning to temporary merchant vendors, Ms. Johnson explained that the vendors are currently allowed through the peddler's licensing requirements in City Code Title V (Business). The proposal revises Title V to reflect new zones. In conclusion, she indicated that the next step is for the Planning and Development Committee to make its recommendation on the matter.

Responding to Councilmember Briere's comments, Ms. Johnson confirmed that temporary vendors that sell flowers during the holidays are also required to obtain a peddler's license, which includes a background check, and a business license. The vendors will have to locate in the CA (Commercial Arterial) zone. She also confirmed that unless it was a part of a City-sponsored function, vendors would be unable to sell art in a park. Councilmember Persson noted that one reason for the background check is to prevent pedophiles from receiving a peddler's license.

Noting that farmers markets will be restricted to the CD zone, Councilmember Parker pointed out that in the future, a farmers market may be wanted in the Benson Hill or Highlands areas. He also questioned whether mobile food vendors are really mobile, as they tend to stay in one place. Councilmember Taylor inquired as to how other cities regulate mobile food vendors. He expressed support for the encouragement of the free enterprise system, especially in this diverse community, in a way that does not take away from community appeal.

Public comment was invited. There being none, it was MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

APPEAL

Committee of the Whole

Appeal: Monopole Conditional Use Permit, T-Mobile, CU-07-065

Councilmember Parker announced that the Committee of the Whole heard the appeal regarding the T-Mobile conditional use permit this evening, and the Committee will present its report at the next Council meeting (6/9/2008).

ADMINISTRATIVE REPORT

Chief Administrative Officer Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2008 and beyond. Items noted included:

- ✱ Beginning June 3, the 2008 Senior Stage Review will air on Renton Cable Channel 21.

Streets: Duvall Ave NE
Closure, Road Improvements
Project

Public Works Administrator Zimmerman reported on the temporary closure of Duvall Ave. NE between NE Sunset Blvd. (SR-900) and SE 95th Way. Originally scheduled to begin on June 2, he indicated that the road will be closed beginning on June 5. Mr. Zimmerman explained that the delay is due to the contractor having to wait for State approval of the required stormwater pollution prevention plan. Stating that the road will remain closed through approximately July 2009, he reviewed the detour routes and noted that Union Ave. NE is not a designated truck route.

Councilmember Parker pointed out that the temporary full closure of Duvall Ave. NE saves the taxpayers money and shortens the time of the project. He stressed the importance of continuous communication to the public regarding the progress of the project, and asked that daily updates be listed on the City's website at duvall.rentonwa.gov.

AUDIENCE COMMENT

Citizen Comment: McOmber -
Emergency Preparedness
Event

Howard McOmber (Renton) announced a Highlands Community Association emergency preparedness event on June 12 at the Highlands Neighborhood Center, during which emergency preparedness kits will be assembled for in-need residents. He encouraged people to volunteer to help assemble the kits, and noted that Deborah Needham, the City's Emergency Management Director, will be on hand to provide assistance.

Citizen Comment: Cowan -
Upper Kennydale Rezone,
Property Zoning

John Cowan (Renton) spoke on the topic of the upper Kennydale rezone. Displaying a map, he pointed out the three lots he owns in the Sunset Hills subdivision and reported that some properties in the subdivision are zoned R-4 (four units per acre) and some are zoned R-8 (eight units per acre). Mr. Cowan noted the need for a zoning readjustment and asked that the matter be reviewed.

Questioning the speaker, Councilmember Briere confirmed that he wants his property, which is zoned R-4, to be zoned R-8. She explained that the goal of the rezone process was to have large lots since large lots already existed in the Kennydale area. Councilman Corman suggested the use of the Comprehensive Plan amendment process to further refine the zoning boundaries.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL REFER THIS MATTER TO THE PLANNING AND DEVELOPMENT COMMITTEE. CARRIED.

Citizen Comment: Larson-
Kinzer, Trespass and Code
Compliance

Sue Larson-Kinzer (Renton) said she owns the Kennydale Blueberry Farm and noted that she has received two orders to correct from the City of Renton, one for bulky waste storage. She displayed photographs of her property, pointing out the construction being undertaken on an adjacent property that resulted in the tearing down of the fence; the deposit of trees, debris, and dirt on her property; and the crushing of her large spool of cable.

MOVED BY CORMAN, SECONDED BY TAYLOR, COUNCIL ALLOW THE SPEAKER FIVE ADDITIONAL MINUTES. CARRIED.

On to the subject of trespassing, Ms. Larson-Kinzer questioned how trespass issues are enforced, and if City-recognized "no trespassing" signs need to be used.

Mayor Law indicated that City Attorney and Police Department staff will be in touch with her to review the issues.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of
5/19/2008

Approval of Council meeting minutes of 5/19/2008. Council concur.

Appointment: Advisory
Commission on Diversity

Mayor Law appointed Jennifer Knickerbocker to the Advisory Commission on Diversity for an unexpired term expiring 12/31/2009 (position previously held by Erica Rehberg). Refer to Community Services Committee.

Finance: Administrator
Appointment (Iwen Wang),

Administrative, Judicial and Legal Services Department recommended confirmation of the appointment of Iwen Wang as the new Finance and

Hire at Step E	Information Services Administrator, effective 6/16/2008; and approval of her salary at Step E of the salary range. Council concur.
CAG: 08-072, Community Center Readerboard Replacement, Daktronics	City Clerk reported bid opening on 5/21/2008 for CAG-08-072, Renton Community Center Readerboard Replacement; one bid; engineer's estimate \$156,000; and submitted staff recommendation to award the contract to sole bidder, Daktronics, Inc., in the amount of \$115,546.54. Refer to <u>Finance Committee</u> .
CAG: 08-055, City Hall Mammoth Compressor Replacement, TRS Mechanical	City Clerk reported bid opening on 5/15/2008 for CAG-08-055, Renton City Hall Mammoth Compressor Replacement; five bids; engineer's estimate \$50,000; and submitted staff recommendation to award the contract to low bidder, TRS Mechanical, Inc., in the amount of \$50,552.82. Council concur.
CAG: 08-066, Logan Ave N Bike Lane & Channelization Revision, Rodarte Construction	City Clerk reported bid opening on 5/27/2008 for CAG-08-066, Logan Ave. N. Bike Lane and Channelization Revision; ten bids; engineer's estimate \$411,255; and submitted staff recommendation to award the contract to low bidder, Rodarte Construction, Inc., in the amount of \$334,565. Council concur.
CED: New Life - Aqua Barn and Liberty Annexation Areas Census, Census Services	Community and Economic Development Department recommended approval of a contract in the amount of \$29,700 with Census Services to conduct a special census of the New Life - Aqua Barn and Liberty annexation areas that is needed for the allocation of State funds to Renton. Council concur.
Zoning: Annual Update of Zoning Book & Wall Map	Community and Economic Development Department recommended approval of the annual update of the City's Zoning Book and Wall Map. Council concur. (See page 181 for ordinance.)
CAG: 07-202, Activity Buildings ADA Upgrades at Philip Arnold & Kenneydale Lions Parks, United Pacific Structures	Community Services Department submitted CAG-07-202, Activity Buildings ADA Upgrades at Philip Arnold and Kenneydale Lions Parks; and requested approval of the project, authorization for final pay estimate in the amount of \$113,626.66, commencement of 60-day lien period, and release of retained amount of \$17,602.66 to United Pacific Structures, Inc., contractor, if all required releases are obtained. Council concur.
Budget: 2008 Amendment, Maintenance Custodian Position	Community Services Department recommended approval to amend the 2008 Budget for Fund 001, Community Services, in the amount of \$66,541 to: add a Maintenance Custodian position, add the position to the 2008 Budget index of positions, and authorize appropriation authority to support contracted landscaping costs and hire maintenance staff. Refer to <u>Finance Committee</u> .
Budget: 2008 Amendment, Firemens Pension Fund	Finance and Information Services Department recommended approval to amend the 2008 Budget by transferring funds in the amount of \$75,000 from the 2007 year-end fund balance to meet Firemen's Pension Fund obligations. Refer to <u>Finance Committee</u> .
CAG: 06-097, Fiber Optic Installation Projects Interlocal Agreement, Eastside Fiber Consortium	Finance and Information Services Department recommended approval of addenda nos. 31, 32, 33, 34, 35, and 41 with the Renton School District related to CAG-06-097, interlocal agreement regarding the sharing of fiber optic installation projects with the Eastside Fiber Consortium (various eastside agencies). Council concur.
Fire: Work Force Management System, Principal Decision Systems International	Fire and Emergency Services Department recommended approval of a contract in the amount of \$55,000 with Principal Decision Systems International to purchase a scheduling, timekeeping, and work force management system

(Telestaff software). Council concur.

Human Resources: Risk
Manager Hire at Step E

Human Resources Department recommended approval to hire the new Risk Manager at Step E of the salary range. Council concur.

Human Services: 2009-2011
CDBG Interlocal Agreement,
King County

Human Services Division recommended approval of the 2009-2011 joint interlocal agreement with King County to receive Community Development Block Grant funds through the King County consortium. Council concur.

Budget: 2008 Amendment,
Burnett Linear Park Phase II
Project

Transportation Systems Division recommended approval to amend the 2008 Budget by transferring \$60,000 from Fund 502, South Renton projects, to Fund 317 for the Burnett Linear Park Phase II project. Council concur. (See page 181 for ordinance.)

Budget: 2008 Amendment,
Clean Sweep Program

Utility Systems Division recommended approval to amend the 2008 Budget by appropriating \$95,000 from Fund 403, Solid Waste, to extend the Clean Sweep Neighbor-to-Neighbor Curbside Cleanup program to recently annexed areas. Council concur. (See page 181 for ordinance.)

CAG: 07-053, Renton Village
Storm System, Laser
Underground & Earthworks

Utility Systems Division submitted CAG-07-053, Renton Village Storm System; and requested approval of the project, authorization for final pay estimate in the amount of \$36,800, commencement of 60-day lien period, and release of retained amount of \$71,450.42 to Laser Underground & Earthworks, Inc., contractor, if all required releases are obtained. Council concur.

Public Works: Cedar River
Section 205 Flood Damage
Reduction 2008 Monitoring
Plan, Golder Associates

Utility Systems Division requested approval of an agreement in the amount of \$53,963.19 with Golder Associates, Inc. to implement the 2008 Monitoring Plan for the Cedar River Section 205 Flood Damage Reduction project. Council concur.

MOVED BY PALMER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

UNFINISHED BUSINESS **Finance Committee**

AJLS: Economic Review and
Forecasting, Doug Pedersen
and Associates

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to enter into a contract with Doug Pederson and Associates to continue providing economic review and forecasting services for the City. The term of the contract is 5/31/2008 through 5/31/2010 and totals \$28,000 for the two-year term. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Budget: 2008 Amendment,
Principal Financial &
Administrative Analyst,
Maintenance Shops Secretary

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to approve an ordinance amending the 2008 Budget by increasing the General Fund budget for Public Works Administration in the amount of \$14,823 to increase the authorization of the Principal Financial and Administrative Analyst position from .75 FTE to 1.0 FTE, and by decreasing the Street Fund budget by \$16,920 to reduce the authorization of a Maintenance Shops Secretary I position from 1.0 FTE to .50 FTE. The Committee also recommended that Council approve the hiring of the Principal Financial and Administrative Analyst position, Grade 24, at Step D of the salary schedule, effective 5/16/2008.

The Committee further recommended that the ordinance regarding the 2008 Budget amendment be presented for first reading. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 181 for ordinance.)

CED: Legislative Consulting
Services, Doug Levy

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to approve a contract with Doug Levy for legislative consulting for the 2008-2009 State legislative session. The contract is for services beginning May 2008 to the end of the 2009 session of the State Legislature in the amount of \$51,800. The Committee further recommended that the Mayor and City Clerk be authorized to execute the contract. **MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Public Safety Committee
Fire: 2006 International Fire
Code Adoption

Public Safety Committee Chair Taylor presented a report regarding the 2006 International Fire Code adoption with local amendments. The Committee recommended concurrence in the staff recommendation to approve the proposed changes with local amendments, and to adopt the related ordinance for the purpose of bringing the City into line with nine Eastside Zone I Fire Marshal jurisdictions and Zone 3 Fire Marshals.

The Committee further recommended that the ordinance regarding this matter be prepared for reading and adoption. **MOVED BY TAYLOR, SECONDED BY PALMER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

RESOLUTIONS AND ORDINANCES

Zoning: Annual Update of
Zoning Book & Wall Map

The following ordinances were presented for first reading and referred to the Council meeting of 6/9/2008 for second and final reading:

An ordinance was read adopting the 2008 amendments to the zoning classification of properties located within the City of Renton. **MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/9/2008. CARRIED.**

Budget: 2008 Amendment,
Burnett Linear Park Phase II
Project

An ordinance was read amending the 2008 Budget to appropriate and transfer from Fund 502 to Fund 317 for Burnett Linear Park Phase II project expenses in the total amount of \$60,000. **MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/9/2008. CARRIED.**

Budget: 2008 Amendment,
Clean Sweep Program

An ordinance was read amending the 2008 Budget by appropriating \$95,000 from the 2008 Solid Waste Utility Fund (403) for the 2008 Solid Waste Clean Sweep account. **MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/9/2008. CARRIED.**

Budget: 2008 Amendment,
Principal Financial &
Administrative Analyst,
Maintenance Shops Secretary

An ordinance was read amending the 2008 Budget by increasing the General fund budget for Public Works Administration (Fund 000/015) by \$14,823 in order to increase the authorization of the Public Works Principal Financial and Administrative Analyst position from .75 FTE to 1.0 FTE and decrease the Street Fund budget (Fund 003/019) by \$16,920 in order to reduce the authorization of a Maintenance Shops Secretary I position from 1.0 FTE to .50 FTE. **MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/9/2008. CARRIED.**

Planning: Development
Regulations (Title IV) Docket,
Assisted Living

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards; Chapter 4, Citywide Property Development Standards; Chapter 9, Permits - Specific; and Chapter 11, Definitions; of Title IV (Development Regulations) of City Code to amend the regulations regarding assisted living and to delete the duplicative use tables for each zone in Section 4-2-070.

MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/9/2008. CARRIED.

The following ordinance was presented for second and final reading and adoption:

Ordinance #5383

Planning: Development
Regulations (Title IV) Docket
Review, Utility Height

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code to amend the regulations regarding height of public water utility facilities in R-1 (Residential - one dwelling unit per acre), R-4 (Residential - four dwelling units per acre), and R-8 (Residential - eight dwelling units per acre) zones. MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**EXECUTIVE SESSION
AND ADJOURNMENT**

MOVED BY PALMER, SECONDED BY CORMAN, COUNCIL RECESS INTO EXECUTIVE SESSION FOR APPROXIMATELY 30 MINUTES TO DISCUSS CONTRACT NEGOTIATIONS WITH NO OFFICIAL ACTION TO BE TAKEN AND THAT THE COUNCIL MEETING BE ADJOURNED WHEN THE EXECUTIVE SESSION IS ADJOURNED. CARRIED. Time: 8:09 p.m.

Executive session was conducted. There was no action taken. The executive session and the Council meeting adjourned at 8:28 p.m.

Michele Neumann, Deputy City Clerk

Recorder: Michele Neumann
June 2, 2008